

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

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RAMSEY ASSET MANAGEMENT, LLC )

Plaintiff, )

v. )

THE STANDARD INSURANCE )  
COMPANY )

Defendant. )

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C.A. No.: 23-cv-

**DEFENDANT’S NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that Defendant Standard Insurance Company (“Standard”) pursuant to 28 U.S.C. § 1441, *et seq.* removes this civil action commenced in the Superior Court of the State of Delaware, entitled *Ramsey Asset Management, LLC v. The Standard Insurance Company*, Case No. N23C-03-104 EMD, to the United States District Court for the District of Delaware. In support of removal, Standard respectfully states:

**NATURE OF REMOVED ACTION**

1. Plaintiff commenced this action by filing the Complaint attached as **Exhibit A** in the Superior Court of the State of Delaware on March 13, 2023.

2. Plaintiff has asserted counts for breach of two disability insurance contracts (“Contracts”), and bad faith breach of Contracts. *See* Complaint Counts I and II.

**TIMELINESS OF REMOVAL**

3. The Complaint and Summons were served on the Delaware Insurance Commissioner’s office on April 4, 2023. **Exhibit B**. Pursuant to 28 U.S.C. § 1446(b), removal is timely filed within thirty days after the receipt by Standard through service or otherwise, of the initial pleading setting forth the claims for relief.

4. Defendant has not yet responded to the Complaint in state court.

### **PROPRIETY OF VENUE**

5. The Delaware Superior Court is located within the district of United States District Court for the District of Delaware. Venue is proper in this Court pursuant to 28 U.S.C. § 1441(a) because this is the “district and division embracing the place where such action is pending.”

### **BASIS OF REMOVAL**

6. Removal of this case is proper pursuant to 28 U.S.C. § 1332(a) because there is complete diversity of citizenship between the parties and the amount in controversy exceeds the sum of \$75,000, exclusive of costs and interest.

#### **I. There is Complete Diversity Between the Parties.**

7. Plaintiff alleges that it is “an inactive limited liability corporation ... incorporated under the laws of the State of Delaware.” Complaint ¶3. Upon information and belief, William Ramsey and his wife are the sole members of Plaintiff and both Mr. and Mrs. Ramsey are citizens and residents of Virginia.

8. Standard is an Oregon life insurance company with its principal place of business in Portland, Oregon.

9. Accordingly, complete diversity exists between the parties.

#### **II. The Amount-in-Controversy is Satisfied.**

10. The amount in controversy and damages demanded by Plaintiff are in excess of \$75,000.00, exclusive of costs and interest. Therefore the value of Plaintiff’s claims exceed the requisite amount in controversy for purposes of diversity jurisdiction under 28 U.S.C. § 1332(a).

11. Because the Plaintiff and Standard are citizens of different states and there is in excess of \$75,000 in controversy, exclusive of interest and costs, this Court has original diversity

jurisdiction over this matter pursuant to 28 U.S.C. § 1332 and this matter is removable to this Court pursuant to 28 U.S.C. § 1441.

12. Pursuant to 28 U.S.C. § 1446(d), Standard is on this day, filing a copy of the Notice of Removal with the Delaware Superior Court and serving notice on Plaintiff's counsel.

13. By filing this Notice, Standard does not waive its right to object to service, service of process, the sufficiency of process, venue, or jurisdiction, and specifically reserves the right to assert any defenses and/or objections to which it may be entitled.

WHEREFORE, Standard Insurance Company respectfully requests that the above-captioned action stand removed from the Delaware Superior Court to this Court.

DATED: April 24, 2023

**COOCH AND TAYLOR P.A.**

/s/ R. Grant Dick IV  
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